

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:22-cv-00109-MR**

WILLIAM J. AYERS,

Petitioner,

vs.

**TODD ISHEE, Secretary of
Department of Adult Correction,**

Respondent.

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ORDER

THIS MATTER is before the Court on Petitioner's Motion for Voluntary Dismissal [Doc. 17], filed on April 13, 2023, requesting this Court dismiss his *pro se* § 2254 Petition for Writ of Habeas Corpus [Doc. 1].

The Petition for Writ of Habeas Corpus was filed on August 10, 2022 [Doc. 1], and in response, the Government has filed a Motion for Summary Judgment. [Doc. 14]. The Petitioner was directed to respond to the Motion for Summary Judgment [Doc. 16], which resulted in his filing of the Motion for Voluntary Dismissal [Doc. 17].

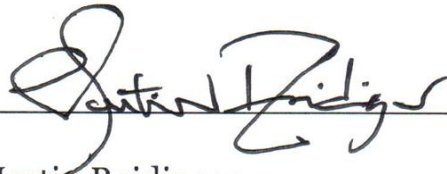
Pursuant to Fed. R. Civ. P 41(2), an action may be dismissed at the plaintiff's request by court order. Having reviewed the record and filings by the parties, the Court will grant the Petitioner's Motion for Voluntary Dismissal and dismiss this action.

IT IS, THEREFORE, ORDERED that

1. The Petitioner's Motion for Voluntary Dismissal is **GRANTED**
and this matter is **DISMISSED**.
2. The Respondent's Motion for Summary Judgment [Doc. 14] is
DENIED AS MOOT.
3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Signed: April 25, 2023

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

